

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

In re CASSAVA SCIENCES, INC. §  
SECURITIES LITIGATION § Master File No. 1:21-cv-00751-DAE

---

This Document Relates To: §  
ALL ACTIONS §  
§  
§

---

**RESPONSE TO DEFENDANTS REMI BARBIER'S AND LINDSAY BURNS' NOTICE  
OF JOINDER IN CASSAVA SCIENCES, INC. AND ERIC J. SCHOEN'S MOTION TO  
STAY MERITS DISCOVERY**

**[FILED UNDER SEAL]**

Lead Plaintiff Mohammad Bozorgi and additional plaintiffs Ken Calderone and Manohar Rao (together, “Plaintiffs”) respectfully submit this Response to Defendants Remi Barbier’s and Lindsay Burns’ Notice of Joinder (ECF 265) in Cassava Sciences, Inc. and Eric J. Schoen’s Motion to Stay Merits Discovery. ECF 250.

Barbier’s and Burns’s eleventh hour joinder changes nothing. Despite having the benefit of Plaintiffs’ opposition to the motion to stay (ECF 257, the “Opp.”), Barbier and Burns offer nothing of substance in their one sentence filing. *First*, Burns and Barbier still provide ***no evidence*** that the Department of Justice is currently investigating them, let alone that an indictment is imminent or even probable. *See* Opp. at 4-6. The motion therefore amounts to an impermissible request for an indefinite stay. *See id.* *Second*, they do ***not*** dispute that: (i) there are numerous relevant topics to which they could and would testify to in this case; or (ii) there are allegations in this case that do ***not*** overlap with Dr. Wang’s indictment. *See* Opp. at 6-7. *Third*, they do ***not*** dispute that their purported (but unsubstantiated) [REDACTED] can be addressed by an appropriate protective order. *See* Opp. at 8. *Fourth*, they do ***not*** claim that: (i) they would suffer any prejudice in the absence of a stay; or (ii) they would be prejudiced if document discovery and depositions of witnesses that have not invoked their Fifth Amendment rights were to continue. *See* Opp. at 7-8, 10. Defendants’ request to stay all merits discovery is therefore vastly overbroad, as well.

In sum, defendants’ request to stay all merits discovery remains unsupported, overbroad, and based on mere speculation, which is insufficient to meet their heavy burden of overcoming the presumption in favor of allowing discovery to continue. *See* Opp. at 3-4. Defendants’ motion should therefore be denied.

DATED: December 2, 2024

Respectfully submitted,

ROBBINS GELLER RUDMAN  
& DOWD LLP  
DANIEL S. DROSMAN (admitted *pro hac vice*)  
KEVIN A. LAVELLE (admitted *pro hac vice*)  
MEGAN A. ROSSI (admitted *pro hac vice*)  
HEATHER GEIGER (admitted *pro hac vice*)  
JEREMY W. DANIELS (admitted *pro hac vice*)

/s/ Kevin A. Lavelle

---

KEVIN A. LAVELLE

655 West Broadway, Suite 1900  
San Diego, CA 92101  
Telephone: 619/231-1058  
619/231-7423 (fax)  
dand@rgrdlaw.com  
klavelle@rgrdlaw.com  
mrossi@rgrdlaw.com  
hgeiger@rgrdlaw.com  
jdaniels@rgrdlaw.com

Lead Counsel for Lead Plaintiff and Additional  
Plaintiff Ken Calderone

KENDALL LAW GROUP, PLLC  
JOE KENDALL (Texas Bar No. 11260700)  
3811 Turtle Creek Blvd., Suite 825  
Dallas, TX 75219  
Telephone: 214/744-3000  
214/744-3015 (fax)  
jkendall@kendalllawgroup.com

Local Counsel for Lead Plaintiff and Additional  
Plaintiff Ken Calderone

GLANCY PRONGAY & MURRAY LLP  
CHARLES H. LINEHAN (admitted *pro hac vice*)  
1925 Century Park East, Suite 2100  
Los Angeles, CA 90067  
Telephone: 310/201-9150  
310/201-9160 (fax)  
clinehan@glancylaw.com

Counsel for Additional Plaintiff Manohar K. Rao